

**PROVINCIAL COURT OF ALBERTA**  
**COVID-19 STAGED RESUMPTION OF**  
**COURT OPERATIONS – PART 1**  
**May 13, 2020 (updated May 19, 2020)**

**Background**

On March 16<sup>th</sup>, 2020, the Provincial Court of Alberta (“Court”) adopted and published the Provincial Court of Alberta Pandemic Plan COVID-19 (“[Pandemic Plan](#)”) and the COVID-19 Pandemic Planning for the Scheduling of Matters (“[Scheduling Plan](#)”). The Pandemic Plan recognized the need to quickly and significantly reduce Court operations and the Scheduling Plan implemented a presumptive adjournment of all matters for a period of 10 weeks, except in-custody criminal matters and matters deemed to be urgent. This Scheduling Plan covered the period March 17<sup>th</sup>, 2020 - May 22<sup>nd</sup>, 2020 and contemplated a staged resumption of Court operations where permissible.

The Court acknowledges that the Province of Alberta is still in a Provincial State of Emergency, and that the Provincial Government and Chief Medical Officer of Health continue to prohibit the gathering of large groups of people and recommend the continued application of social distancing principles and other health related measures.

The Government of Alberta has now published the “Alberta’s Re-Launch Strategy” which outlines the gradual re-opening of businesses and activities in the Province of Alberta. This re-launch strategy includes many enhanced infection prevention and control measures including physical distancing requirements of at least two meters and other public health guidelines.

This COVID-19 Staged Resumption of Court Operations - Part 1 (“this Plan”) covers the period May 25<sup>th</sup> through to and including July 3<sup>rd</sup>, 2020 and outlines the Court’s operations for that time period. It is predicated on the Court’s ability to respect all public health guidelines in place from time to time. As a result of the variety of courthouses and courtrooms presently in operation in the province and the resulting ability to respect public health guidelines, the operations outlined in this Plan may vary from location to location.

Access to Provincial Court Houses in Alberta continues to be restricted to only those persons necessary to the proceedings before the Court, which includes counsel, litigants, accused, witnesses, support workers, and members of the media. Everyone attending court facilities must follow all public health guidelines including social distancing protocols. The number of people permitted in any courtroom or area of the Court will be in accordance with the then current Public Health Order concerning the size of gatherings.

## 1. Locations Operating

The following base Court locations currently continue to operate (on reduced scale):

| REGION          | BASE LOCATION  |
|-----------------|--|
| Calgary         | Calgary  |
| Calgary Region  | Calgary; Drumheller  |
| Central Region  | Camrose; Red Deer; Wetaskiwin  |
| Edmonton        | Edmonton   |
| Edmonton Region | Ft. McMurray; Ft. Saskatchewan; Hinton, Leduc; Sherwood Park; St. Albert; St. Paul; Stony Plain; Vermilion |
| Northern Region | Grande Prairie; High Level; High Prairie; Peace River  |
| Southern Region | Lethbridge; Medicine Hat   |

All other Court locations (“circuit courts”) remain closed until further notice. Matters in these circuit courts are being handled out of the associated base location. In special circumstances circuit courts may be opened to hear a trial, preliminary inquiry or hearing involving in-person attendance.

The scheduling of court times varies location to location. Please refer to the Scheduling Notices or call or contact by email the [base location](#).

## 2. Civil

**No in-person appearances** shall be permitted at any court location.

**Emergency applications** will continue to be heard according to the protocols presently in place.

**Pre-trial conferences, simplified trials and binding judicial dispute** matters presently scheduled between May 25<sup>th</sup> through to July 3<sup>rd</sup>, 2020 will proceed as scheduled by teleconference or videoconference only.

**Trials** presently scheduled after May 25<sup>th</sup> (other than simplified trials) will be case managed by a Judge. The parties will be contacted in advance of the trial date and a case management conference will be held by teleconference or videoconference where a Judge will canvas trial readiness, suitability for trial by teleconference or videoconference, and settlement. If the matter is not suitable for trial by teleconference or videoconference the matter will be adjourned.

**Applications** that can be heard by teleconference may be scheduled and the usual requirements regarding filing and service of notice of the application and

supporting documents will apply. Desk applications will be received in the drop boxes in Edmonton and Calgary or as directed by the regional courts.

**Urgent matters** only will be accepted for filing at the counters, and non-urgent matters to be filed will be received in the drop boxes in Edmonton and Calgary or as directed by the regional courts.

### **3. Criminal (Adult)**

**Docket Courts** will only be held remotely by teleconference or videoconference. If you are not in custody and have an adult criminal court appearance in the Court between May 25<sup>th</sup> and July 3<sup>rd</sup>, 2020 **you do not need to attend in court**. Your matter will be adjourned six weeks from the date of your scheduled court appearance or the next court date thereafter.

**In-custody matters** will continue to be heard as presently scheduled.

**Out-of-custody matters including guilty pleas** will be scheduled and heard in accordance with the [Guidelines](#) published on the Court website on April 23<sup>rd</sup>, 2020 and pursuant to the protocols developed in the various locations (see Practice Notes).

**Out-of-custody criminal trials and preliminary inquiries** scheduled to be heard will be adjourned. The Court will continue to hear urgent out of custody matters with leave of a Judge.

**For locations other than Calgary, Calgary Regional Courts and Edmonton**, an application may also be made by counsel to the Court for the hearing of an out of custody criminal trial or preliminary inquiry. However, in all cases the hearing of an out of custody preliminary inquiry or trial will only be considered if the acceptable safety equipment and measures have been put in place within the particular Courthouse in which the matter is to be heard. Check notices under Scheduling for further information.

**Case management:** The Court will conduct pre-trial/pre-preliminary conferences on all trials and preliminary inquiries currently set, or to be set for one half day or more and on any other matter upon request from a party or as directed by the Court. This applies to matters scheduled up to December 31<sup>st</sup>, 2020.

**Specialized courts:** The Court is making efforts to re-open all specialized courts either in-person or remotely as soon as practicable. Until such time as this occurs, all matters scheduled for a specialized court between May 25<sup>th</sup> and July 3<sup>rd</sup>, 2020 will be presumptively adjourned six weeks from the scheduled court date or to the next court date thereafter.

**Judicial authorization applications:** The Court will continue to hear judicial authorization applications either through the Hearing Office, by attending in Provincial Court Judges' Chambers at a base location or in Edmonton through the [Edmonton Digital Judicial Authorization Rule and Protocol](#).

## 4. Family and Child Protection

### All Regions (including Calgary and Edmonton)

**Urgent Family and Child Protection matters** will continue to be heard in accordance with the protocols presently in place.

**Remote Family and Child Protection Applications** will continue to be heard in accordance with the [Guidelines](#) published on the Court's website on April 22<sup>nd</sup>, 2020 and pursuant to the protocols developed in the various locations (see Practice Notes)

**New family matters** will not be received, without leave of the court, until June 1<sup>st</sup>, 2020. On June 1<sup>st</sup>, 2020 the court will be open to receive new family filings together with appropriate fees and these new matters will be scheduled to be heard after July 3<sup>rd</sup>, 2020.

### Regions other than Calgary and Edmonton

**Family and Child Protection Docket courts** will be held remotely by teleconference or videoconference in accordance with local protocols.

**Family and Child Protection Hearings and Trials:** All Family and Child Protection matters scheduled for a hearing up to July 3<sup>rd</sup>, 2020 will be reviewed by the Court on a case-by-case basis and may proceed if the court directs. Local protocols will determine how this will occur. Any adjourned trials or hearings may be subject to an additional case conference or Pre-trial Conferences as directed by the local Assistant Chief Judge. Check notices under Scheduling for further information.

**Judicial Dispute Resolutions and Pre-trial Conferences:** Until further notice all Judicial Dispute Resolutions and Pre-trial Conferences will proceed remotely.

### Calgary (only)

**Family and Child Protection Docket courts** will be held remotely by teleconference or videoconference in accordance the local protocols. For family applications previously scheduled in Calgary the dockets will be divided into two courtrooms.

**Family and Child Protection Hearings and Trials:** All Family and Child Protection matters scheduled for a hearing up to July 3<sup>rd</sup>, 2020 will be reviewed by the Court on a case-by-case basis and may proceed if the court directs. Local protocols will be developed to set out how this will occur. Any adjourned hearings may be subject to an additional case conference or Pre-trial Conference as directed by the local Assistant Chief Judge.

**Judicial Dispute Resolutions and Pre-trial conferences:** Until further notice all Judicial Dispute Resolutions and Pre-trial Conferences will proceed remotely by teleconference or videoconference in accordance with local protocols.

## **Edmonton (only)**

**Child Protection docket courts** will be held remotely by teleconference or videoconference whenever possible, and personal attendance in court will be accommodated where necessary, including the assistance of a court coordinator and duty counsel.

**Child Protection hearings** scheduled between May 25<sup>th</sup> and July 3<sup>rd</sup>, 2020 will be reviewed by the Court on a case-by-case basis and may proceed if the court directs.

**Family Law dockets** in the afternoon will be held remotely by teleconference or videoconference whenever possible, on those matters previously adjourned in March and April to the date indicated at that time. Personal attendance in court will be accommodated where necessary. Dockets will be split into two courtrooms to accommodate social distancing.

**Family Law trials** that are presently scheduled between May 25<sup>th</sup> and July 3<sup>rd</sup>, 2020 will proceed for parties and their lawyers plus witnesses only. Parties may be contacted by the clerk's office within the two weeks prior to their trial date as a reminder.

**Judicial Dispute Resolution** matters scheduled between May 25<sup>th</sup> and July 3<sup>rd</sup>, 2020 will proceed for the parties and their lawyers only.

**Pre-trial conferences** scheduled between May 25<sup>th</sup> and July 3<sup>rd</sup>, 2020 will proceed remotely by teleconference whenever possible, and personal attendance in court will be accommodated where necessary.

## **5. Self-Represented Litigants in Family Law Matters**

**Self-represented individuals** who wish to commence a matter in the Provincial Court or wish to have an ongoing matter brought into Court, must contact a Family Court Counsellor. Family Court Counsellors can be contacted at the following phone numbers:

Edmonton: 780-427-8343  
Grande Prairie: 780-833-4200  
Hinton: 780-865-8384  
Medicine Hat: 403-529-8716  
Stony Plain: 780-968-5812  
Wetaskiwin: 780-361-1374

Calgary: 403-297-6981  
High Prairie: 780-523-6183  
Lethbridge: 403-388-3102  
Red Deer: 403-340-7187  
St. Paul: 780-614-6300  
Ft. McMurray: 780-743-7345

The **Caseflow and Intake Regulation** (Family Court Counsellors) remains mandatory in Calgary, Edmonton, Red Deer and Grand Prairie.

**Family Mediation** is available by phone or video technology at no-cost to eligible participants - see [Family Mediation](#). Family Mediators can be contacted at the following numbers:

Calgary: 403-297-6981  
Edmonton: 780-427-8329  
Elsewhere in Alberta: 403-355-2414

## 6. Emergency Protection Orders (EPOs)

**Regular court hours:** In person EPO applications will continue to heard at court locations during regular court hours.

**After regular court hours:** EPO applications may be made by telecommunication in accordance with the procedure contained in the [Emergency Protection Orders Telephone Applications \(COVID-19\) protocol](#).

## 7. Youth

**Docket courts** will be held remotely by teleconference or videoconference.

**In custody matters:** The Court will continue to deal with in-custody Youth matters, either remotely or in person as may be directed.

**Out-of-custody Youth trials in Calgary and Edmonton** will be presumptively adjourned to a docket court six weeks from the date of the scheduled court appearance or the next court date thereafter. Should either party wish to have a trial proceed they are to contact the local Assistant Chief Judge or designate at least two weeks in advance of the first day of the trial to have this issue determined.

**Out-of-custody Youth trials in all other areas** will be considered on a case-by-case basis and may proceed if so directed by the Court. Check notices under [Scheduling](#) for further information.

**Out-of-custody Youth summary dispositions in Calgary:** previously scheduled dispositions will occur regardless of whether or not the young person is in custody. Additional dispositions that do not require additional reports and will take less than 30 minutes can be arranged.

**Out-of-custody Youth summary dispositions in Edmonton** can be brought forward and scheduled in Courtroom 443 for May 29<sup>th</sup> and June 8<sup>th</sup>, 9<sup>th</sup> and 24<sup>th</sup>. One hour per matter or consecutive hours can be booked. The times will be 9:30, 10:30, 11:30, 1:30, 2:30, and 3:30. Crown may apply to appear by teleconference or videoconference. The Young person is expected to attend in person.

## 8. Traffic, Ticket, By-Law, Provincial Offences and Inquiries

**No in-person services will be provided in Traffic Courts in Alberta until further notice.** If you have an appearance, trial or application scheduled during the closure, do not attend the Court in person. Contact the Court handling your matter by telephone, email or fax if you:

- Do not dispute your ticket but need time to pay,
- Wish to adjourn your matter, or
- Wish to plead not guilty and set a trial date. Not guilty pleas will also continue to be accepted by mail. Follow the instructions on your ticket for submitting a not guilty plea by mail.

If you fail to contact the Court handling your matter on or before your scheduled appearance date, you may be convicted in absence or a warrant may be issued for your arrest. If you are convicted in absence, you may be subject to a late penalty charge.

Fine payment may be made:

- Online at [fine payments](#) – as part of the overall response to COVID-19, the Government of Alberta has temporarily waived the service fee for online fine payments to assist Albertans while traffic courts are closed to the public.
- By mail to the Provincial Traffic Production Centre, 601 – 5<sup>th</sup> Street S.W., Calgary, Alberta T2P 5P7.
- Through a [registry office](#).

[Court contact information for Traffic closure matters.](#)

**All provincial ticket, by-law and other matters scheduled for trial** between May 25<sup>th</sup> – July 3<sup>rd</sup>, 2020, as well as trial matters which were scheduled between March 16<sup>th</sup> – May 22<sup>nd</sup>, 2020, and previously adjourned, will be presumptively adjourned for **ten** weeks and re-scheduled at a later date.

## 9. Case Management Offices

All case management offices remain closed until further notice.